

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

	X	
In re:	:	
	:	
THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. ¹	:	Re: Dkt. No. 10841
	X	

**DRA PARTIES' RESPONSE AND RESERVATION OF RIGHTS TO THE
MONOLINES' URGENT MOTION TO ADJOURN HEARING ON MOTIONS FOR
RELIEF FROM STAY AND EXTEND DEADLINES**

COME NOW AmeriNational Community Services, LLC (hereafter the “Servicer”), as servicer for the GDB Debt Recovery Authority (the “DRA”), and Cantor-Katz Collateral Monitor LLC, a Delaware limited liability company which serves as the collateral monitor for Wilmington Trust, N.A. in connection with the new bonds issued by the DRA pursuant to the *Government Development Bank for Puerto Rico Debt Restructuring Act*, Act No. 109-2017, as amended by Act No. 147-2018 and the approved Qualifying Modification for the Government

¹ The Debtors in these title III cases, along with each Debtor’s respective title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801).

Development Bank for Puerto Rico² under Title VI of the *Puerto Rico Oversight, Management and Economic Stability Act* (the “Collateral Monitor” and with the Servicer, the “DRA Parties”), by and through the undersigned legal counsel, and respectfully submit this response and reservation of rights to the *Urgent Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company to Adjourn Hearing on Motions for Relief from the Automatic Stay and Extend Deadline for Replies in Support of Motions for Relief from the Automatic Stay* (the “Urgent Motion”) [Dkt. No. 10841].

RESPONSE

1. Due to conflicting timetables in the Amended Revenue Bond Scheduling Order³ and the DRA Scheduling Order, on February 11, 2020, the DRA filed the *DRA Parties’ Motion and Memorandum of Law in Support of their (I) Notice that the DRA is a Party in Interest and can Participate in the Monolines’ Amended Lift Stay Litigation and Request to Modify the Amended Revenue Bond Scheduling Order or, (II) in the Alternative, Motion to Permit the DRA Parties to Intervene in the Monolines’ Amended Lift Stay Litigation* (the “DRA Participation Motion”)[Dkt. No. 10835 of Case No. 17-03283 (LTS) and Dkt. No. 685 of Case No. 17-BK-03567 (LTS)]. The DRA Participation Motion states that: (i) the DRA Parties are parties in interest who have a significant financial stake in the outcome of the Monolines’ Amended Lift Stay Motion, (and perhaps the sole economic stake with respect to the Act 30-31 Revenues); and (ii) the DRA Parties must be allowed to participate in the Monolines Amended Lift Stay Motion

² See Dkt. No. 270 of Civil Case No. 18-01561 (LTS).

³ Capitalized terms used herein and otherwise not defined shall have the meaning ascribed to such term in the DRA Participation Motion.

due to, among other things, the prejudicial effects that a Court's decision in the Monolines' Amended Lift Stay Motion litigation could have on the DRA with respect to overlapping issues that would be heard first under the Monolines' litigation schedule. *See id.* generally.

2. On February 12, 2020, the Monolines filed their Urgent Motion requesting the that the March 5, 2020 hearing on the Monolines' Amended Lift Stay Motion be rescheduled to the April 22, 2020 omnibus hearing, and that the February 18, 2020 deadline for the Monolines to file their reply brief be extended to April 6, 2020. *See*, Dkt. No. 10841.

3. The DRA Parties take no position regarding the request made by the Monolines in their Urgent Motion.

4. However, if the Court orders that the Monolines' Amended Lift Stay Motion should be addressed before consideration of the DRA Lift Stay Motion, the DRA Parties request that they be allowed to participate under any revised schedule regarding the Monolines' Amended Lift Stay Motion for the reasons stated in the DRA Participation Motion.

RESERVATION OF RIGHTS

5. The DRA Parties reserve all rights and remedies with respect to the Urgent Motion, including but not limited to, the right to file any additional submissions with the Court regarding this issue to the extent that any potential revised schedule that may be entered by the Court were to be in conflict with the DRA Scheduling Order and/or the DRA Parties' rights and interests under the DRA Lift Stay Motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, today February 14, 2020.

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